

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	
<b>v.</b>	:	<b>CRIM. NO. 19-88</b>
	:	
<b>NATHAN STEWART WEYERMAN</b>	:	

**GOVERNMENT'S UNOPPOSED MOTION FOR EXTENSION OF  
TIME TO FILE RESPONSE TO DEFENDANT MOTION TO SUPPRESS**

The United States of America, by and through its attorneys, William M. McSwain, United States Attorney for the Eastern District of Pennsylvania, and Seth Schlessinger, Assistant United States Attorney, hereby files this unopposed motion for extension of time in which to file its response to defendant Nathan Stewart Weyerman's motion to suppress evidence [DE 22], and states as follows:

The defendant is charged by indictment [DE 1] with receipt of child pornography, in violation of 18 U.S.C. § 2252(a)(2), and possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). A substantial portion of the evidence underlying the charges was obtained by investigators executing a search warrant at the defendant's residence on September 20, 2018. Probable cause in support of the issued search warrant largely arose out of an analysis of the defendant's activity occurring over Freenet, a peer-to-peer file-sharing service intended to maintain the anonymity of its users. The search revealed the defendant, a previously-convicted sex offender, to be in possession of a substantial collection of child pornography.

On October 9, 2019, the defendant filed a motion to suppress the evidence gathered as a result of the search authorized by the warrant [DE 22]. The motion makes several arguments that, although misplaced and reflecting a misunderstanding of the nature of the investigation, are

nevertheless highly technical. In fact, the motion includes both descriptions of certain technical details of Freenet's operation claimed to entitle the defendant to suppression, and multiple snippets of source code. See DE 22 at 5-6. The motion goes on to challenge, on various technical grounds, the reliability of the method by which law enforcement officers develop probable cause regarding the identity of persons requesting known child pornography files from other users of the Freenet network. See id. at 8-9.

Under both this Court's Local Rules and the scheduling order previously entered by the Court, the government is currently required to respond by October 16, 2019. See E.D. Pa. L.C.R. 12.1; DE 20 at 1. The nature of the motion and the required response are such that the government requests an additional period of fourteen (14) days in which to prepare and file its response. The additional period will permit the government to more comprehensively and accurately address the complex and detailed claims made by the defendant in the motion to suppress.

The defendant will not be prejudiced by the extension sought, nor will other proceedings in this matter be delayed, as the defendant is currently set for trial on December 10, 2019. Moreover, counsel for the defendant, Assistant Federal Defender Angela Halim, has represented that the defendant has no objection the requested extension.

WHEREFORE, for the above reasons, the Government respectfully requests that the Court

extend the time in which it may file its response to the defendant's motion to suppress evidence [DE 22] until October 30, 2019.

Respectfully submitted,

WILLIAM M. McSWAIN  
United States Attorney

s/Seth Schlessinger  
SETH M. SCHLESSINGER  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on October 16, 2019, I filed this document electronically using the CM/ECF system and thereby caused a copy of the same to be served on all counsel of record.

s/Seth Schlessinger  
SETH M. SCHLESSINGER  
Assistant United States Attorney